

MARK B. HANSON, ESQ.
Second Floor, Macaranas Building
Beach Road, Garapan
PMB 738 P.O. Box 10,000
Saipan, Mariana Islands 96950
Telephone: (670) 233-8600
Facsimile: (670) 233-5262
E-mail: mark@saipanlaw.com

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

LI YING HUA, LI ZHENG ZHE and XU JING JI,) CASE NO. CV 05-0019

Plaintiffs,)

vs.)

JUNG JIN CORPORATION, a CNMI corporation,)
ASIA ENTERPRISES, INC., a CNMI corporation,)
PARK HWA SUN and KIM HANG KWON,)

Defendants.)

DECLARATION OF
MARK B. HANSON IN SUPPORT OF
PARTIAL OPPOSITION TO MOTION
TO CONTINUE

Date: December 27, 2006

Time: 9:00 a.m.

Judge: Hon. Alex R. Munson, Chief Judge

I, Mark B. Hanson, hereby declare as follows:

1. I am competent to testify, and if called to testify, I would do so in accord herewith.
2. I am the attorney for Plaintiffs in the above-entitled matter.

3. On December 5, 2006, after a hearing on the matter, this Court issued an Order in Aid of Judgment providing, among other things, for the seizure by the United States Marshal of property upon which non-party Kim Pil Sun Kitami claims a lien. (Doc # 122).

4. On December 7, 2006, the Court issued an Amended Order in Aid of Judgment providing for the seizure and inventory of Defendants' property, some of which is the subject of liens claimed by Kim Pil Sun Kitami, and the Amended Order calls for the inventory of Defendants' personal property on and about the subject real property and for the U.S. Marshal to transfer custody

1 of the seized and inventoried real and personal property to the attorney for Plaintiffs. (Doc # 123).

2 5. On December 13, 2006, I caused to be delivered by Certified Mail with a return receipt
3 requested a copy of the Court's Amended Order in Aid of Judgment to Ms. Kim Pil Sun Kitami and
4 Rosa Taman Maliti. That day, I also caused a copy of the Amended Order in Aid of Judgment to be
5 delivered to the Defendants and to Mr. Richard Pierce via First Class, postage prepaid mail. See
6 Proof of Service filed December 13, 2006 (Doc # 125).

7 6. On December 18, 2006, I caused the Court's Amended Order in Aid of Judgment to
8 appear, in its entirety, in the *Marianas Variety*, a newspaper of general circulation in the
9 Commonwealth of the Northern Mariana Islands.

10 7. On the same day, December 18, 2006, a Deputy United States Marshal, with the
11 assistance of my staff and me, began the seizure and inventory of real and personal property that was
12 the subject of the Court's Amended Order in Aid of Judgment.

13 8. The same day, December 18, 2006, Richard Pierce, the attorney for Ms. Kim Pil Sun
14 Kitami called me and informed me that he was aware of the Amended Order in Aid of Judgment
15 and the December 27, 2006 hearing date set therein, and that he wanted to change the hearing to
16 a date no earlier than January 17, 2007. I informed Mr. Pierce that I believed that a continuance of
17 such duration caused Plaintiffs and myself an unnecessary risk of loss and that a month from that
18 date to prepare was an unnecessarily long amount of time. I suggested that Mr. Pierce could begin
19 preparing right way and could finish any necessary preparations upon his return to Saipan and be
20 ready for a hearing on January 10, 2007. Mr. Pierce did not agree with my suggestion and told me
21 that he was going to call the Court staff and get the hearing changed. I have had no further
22 communication with Mr. Pierce.

23 9. On December 20, 2007, the Deputy United States Marshal completed the seizure and
24 inventory of the subject property.

25 10. Plaintiffs expect the Deputy United States Marshal to sign off on an inventory list and
26
27

1 transfer custody of the seized and inventoried property to me tomorrow morning, Friday, December
2 22, 2006.

3 11. From the time of transfer of custody of the property to me until the time the property
4 is auctioned or otherwise disposed of, I will remain responsible for the safekeeping of the seized
5 property.

6 12. Any delay in an order allowing the auction of personal property seized subjects me to
7 an unnecessary risk of loss due to theft, vandalism and/or other actions of third parties.

8 13. Any delay in a determination of liens affecting the title to the two vehicles and to the
9 real property seized also subjects me to a risk of loss and creates further issues with regard to the
10 preservation of the lease on the real property which is the interest of Defendants seized and which
11 Plaintiffs propose to sell at public auction.

12
13 I swear under penalty of perjury that the forgoing is true and correct to the best of my
14 knowledge and belief and that this Declaration was executed this 21st day of December, 2006 in
15 Saipan, Commonwealth of the Northern Mariana Islands.

16
17 /s/ Mark B. Hanson

18

MARK B. HANSON

19 Second Floor, Macaranas Building
20 Beach Road, Garapan
21 PMB 738 P.O. Box 10,000
22 Saipan, Mariana Islands 96950
23 Telephone: (670) 233-8600
24 Facsimile: (670) 233-5262
25 E-mail: mark@saipanlaw.com

26 Attorney for Plaintiffs
27